

**THE HOFFMAN LAW FIRM**

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April 24, 2025

**VIA ECF**

Hon. Paul G. Gardephe  
United States District Court Judge  
40 Foley Square, Courtroom 705  
New York, NY 10007

**Re: *Pindell v. N’Namdi et al.*, 1:20-cv-00818-PGG (S.D.N.Y.)**

Dear Judge Gardephe:

Your Honor issued an Order on April 11, 2025 granting the Plaintiff Howardena Pindell, jurisdictional discovery as provided in the Court’s Individual Rules of Practic. The Order rejected The the Report and Recommendation by Magistrate Judge Fox dated June 8, 2021 (Dkt. No. 102), which, in part, granted the Defendant Arthur Primas’s motion to dismiss for lack of personal jurisdiction without giving adequate consideration to the quality of the contacts Plaintiff alleged and Plaintiff’s request for additional discovery to prove Primas’s history of art transactions in New York. . Plaintiff believes that jurisdictional discovery will establish facts to prove Primas sold Primas’s agent sold *Who Do You Think You Are? One of US* (“*Who Do You Think You Are?*”) and *Separate But Equal Aids* to Ko Smith in Brooklyn, New York. through N’Namdi as the agent. The Second Amended Complaint (“SAC”) alleges that Primas purchased the Pindell Works of Art at Issue, *Slavery Memorial Narratives* and *In My Lifetime* in New York. Primas’s contacts including alleged agreements with the N’Namdi’s in New York amount to more than “an agreement to pay money in New York” and are sufficient to state a prim facie case for jurisdiction.

The purpose of this letter is to request an extension of time in submitting papers to support Plaintiff’s motion for personal jurisdiction over Defendant Arthur Primas. Plaintiff has served her interrogatories and request for production of documents related to jurisdiction to Arthur Primas. It is unclear when Primas will respond or whether a deposition will be required.

Primas’s attorney has not responded to either Plaintiff’s request for an extension of time or given any indication when Primas’ responses to document production or interrogatories would be forthcoming. Whilst she did agree to produce Primas for a deposition approximately ten days ago on April 28, only a tentative date was set with no location or mechanism. Further, Plaintiff’s attorney indicated that the date was not suitable without responses.

Plaintiff has settled with the N’Namdi Defendants. The N’Namdi’s and various galleries controlled by them sold works of the artist Howardena Pindell to Arthur Primas, several of which are the works of art at issue in this case (“Pindell Works of Art at Issue”) and the subject of Plaintiff’s claims for conversion, replevin and constructive trust. The principal attorney’s for the N’namdi’s are with different firms. It is not clear whether and to what extent, it is necessary to take jurisdictional discovery of the N’Namdi at this time regarding transactions with or on behalf of Arthur Primas.

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One year ago, Plaintiff and Primas did engage in settlement discussions. An extension of time, may permit settlement discussions to revive. Further, not having anticipated a decision at this time, I have engagements in Washington, other deadlines in other matters, and then will be out of the country on a long planned trip until June 3, 2025. I am a sole practitioner.

For the reasons set forth above, I respectfully request until June 30, 2026 to file papers to support that the Plaintiff has made out a case for prima facie jurisdiction sufficient for this Court to deny Primas's motion to dismiss for lack of jurisdiction.

Thank you in advance for the Court's consideration.

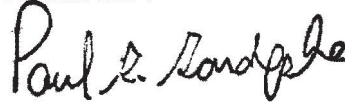
Respectfully submitted,

/s/ Barbara Hoffman  
Barbara Hoffman, Esq. (BH 8931)  
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*Attorney for Howardena Pindell*

CC: All Counsel of Record via ECF

**The parties have until June 30, 2025  
to submit additional briefing on  
jurisdictional discovery.**

SO ORDERED.



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Paul G. Gardephe  
United States District Judge